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Technical flaw allows online access to names

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Extraordinary measures ordered to protect the identity of victims in the Catholic Diocese of Spokane bankruptcy have been undermined because of a technical gaffe that allows people to easily view victims' names in records online.

More than 50 victims' names appear in records filed on the electronic docket of the U.S. Bankruptcy Court of Eastern Washington.

In researching a story regarding sealed court records, The Spokesman-Review used a simple technique to view unedited versions of records filed by Paine Hamblen Coffin Brooke and Miller, the main law firm representing the diocese in its bankruptcy. Similar unedited records filed by other firms in the case could not be accessed.

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Strict confidentiality protocols were approved early in the 2 1/2-year-old case. Lawyers argued that alleged victims of priest sex abuse should be able to file claims with the assurance their identities would remain secret.

The Spokesman-Review expressed concern in a letter to U.S. Bankruptcy Judge Patricia Williams about the sweeping confidentiality measures and lack of public participation in the case.

The newspaper later filed a court motion challenging the measures. It has again asked the judge to consider allowing some of the information be disclosed on the basis of public safety and openness of the legal process. The newspaper has never sought release of victims' names.

Paine Hamblen attorney Greg Arpin said the computer records problem was a mistake and the firm has worked in good faith to obey the court's confidentiality order. Paine Hamblen has been paid more than \$2 million so far for its bankruptcy case work.

Arpin also asked The Spokesman-Review to delay publicizing the computer problem until the firm could have the records removed from the court docket.

Steven A. Smith, editor of The Spokesman-Review, said, "We tell people what we know when we know it. We know it, we publish it." The Spokesman-Review will not publish the names of victims based on the information it discovered online, said Managing Editor Gary Graham. The newspaper has protected the information it was able to gather due to the technical failure.

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